

REMARKS/ARGUMENTS

Favorable reconsideration of this application in view of the above amendments and the following remarks is respectfully requested.

Claims 43-49 are pending in this application. By this amendment, Claims 43-48 are amended; no claims are cancelled; and Claim 49 is added herewith. Support for the present amendment can be found in the original specification, for example, at page 1, line 20 to page 2, line 2, at page 66, lines 13-16, at page 95, lines 17-19, at page 96, lines 2-17, at page 97, lines 14-17, in Figure 57, and in original Claims 1-16. It is respectfully submitted that no new matter is added by this amendment.

In the outstanding Office Action, Claims 47-48 were rejected under 35 U.S.C. § 101; and Claims 43-48 were rejected under 35 U.S.C. § 102(e) as anticipated by Johnson et al. (U.S. Patent Publication No. 2009/0030978, hereinafter “Johnson”).

In response to the rejection of Claims 47-48 under 35 U.S.C. § 101, Applicants traverse this rejection and respectfully assert that the claimed features are statutory subject matter. It is noted that Claim 47 has been amended to have the computer program instructions and the program embodied within a computer-readable storage medium and to include hardware consistent with MPEP § 2106. Accordingly, Applicants respectfully submit that all pending claims are statutory, and no further rejection on this basis is anticipated. However, if the Examiner disagrees, the Examiner is invited to telephone the undersigned, who will be happy to work with the Examiner in a joint effort to derive mutually acceptable claim language. If Examiner plans to use this rejection in further papers, Applicants respectfully request that an explanation be provided based on controlling authority from In re Bilski, 545 F.3d 943, (Fed. Cir. 2008) (en banc).

In response to the rejection of Claims 45-48 under 35 U.S.C. § 102(e) as anticipated by Johnson, Applicants respectfully request reconsideration of this rejection and traverse this rejection, as discussed below.

Independent Claim 43 is amended to recite, in part, an information processing apparatus, comprising “a detecting unit configured to detect that a portable device [is] connected [and] a control unit configured to activate a program automatically when the detecting unit detects connection of the portable device, said control unit performs display control and content data management.”

As described in the original specification, an information processing apparatus may have a portable device connected.<sup>1</sup> The apparatus has a starter program which judges whether the portable device is connected. If it is determined that the portable device is *not* connected, then the starter program repeatedly determines whether there is a connection.<sup>2</sup> When the starter program determines that a connection has been made, then the starter program determines whether a display/ operation instruction program has been started and if not, then the program will automatically start the display/ operation instruction program.<sup>3</sup>

It is respectfully submitted that Johnson does not disclose or suggest every feature in amended Claim 43.

Johnson describes a closed loop system for delivering information content obtained from an information content source to a playback device where the system includes a mobile-content server 135, a client platform 120, and a playback device 155 interconnected via internet or cellular phone network.<sup>4</sup> When a communications link is established between the playback device 155 and the client platform 120, then a client application 130 may download

---

<sup>1</sup> See original specification, for example, at page 95, lines 17-19.

<sup>2</sup> See original specification, for example, at page 96, lines 2-5.

<sup>3</sup> See original specification, for example, at page 96, lines 6-14.

<sup>4</sup> See Johnson, for example, at ¶ 10, lines 7-10, ¶ 32, lines 1-4 and ¶ 96, lines 1-2.

available playback programs.<sup>5</sup> In other embodiments the user may select programming to be delivered to the playback device 955 by cell phone to the playback device 955.<sup>6</sup>

However, it is respectfully submitted that Johnson does not disclose or suggest “a detecting unit configured to detect that a portable device [is] connected [and] a control unit configured to activate a program automatically when the detecting unit detects connection of the portable device, said control unit performs display control and content data management,” as recited in Claim 43.

Instead, as discussed above, Johnson merely describes an information network. Johnson does not describe a detecting unit configured to detect that a portable device is connected and to automatically activate a program upon detection of the connection. Johnson also does not describe a program for content data management.

Therefore, it is respectfully submitted that Johnson does not disclose or suggest every feature recited in amended Claim 43. Thus, it is respectfully requested that the rejection of Claim 43, and all claims dependent thereon, as anticipated by Johnson be withdrawn.

As to the rejection of Claims 45-48 under 35 U.S.C. § 102(e) as anticipated by Johnson, Applicants request this rejection be withdrawn for the same reasons as discussed above with respect to Claim 43.

New Claim 49 is added by the present amendment. Support for new Claim 49 can be found in the original specification, for example, at page 66, lines 13-16, at page 96, lines 15-16, and in Figure 57. Thus, it is submitted that no new matter is added. New Claim 49 is dependent on Claim 47, and thus is believed to be patentable for at least the reasons discussed above with respect to Claim 47.

New Claim 49 recites in part, “wherein the program is configured to perform display control by displaying a dialog box within a display configured to be read by a user, and the

---

<sup>5</sup> See Johnson, for example, at ¶ 43, lines 12-20.

<sup>6</sup> See Johnson, for example, at ¶99, lines 26-31.

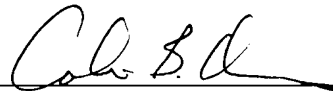
dialog box is in a form of illuminated pixels.” The applied art of Johnson indicates that “the platform 210 may access one or more internal or external display devices 230... for the purpose of providing information or computing results to a user.”<sup>7</sup> However, Johnson does not disclose or suggest the feature of display control as performed by a program activated automatically upon detecting a connection. Thus, Applicants respectfully submit that Claim 49 further patentably defines over the applied art.

Consequently, for the reasons discussed in detail above, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal allowance. Therefore, a Notice of Allowance is earnestly solicited.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact the undersigned representative at the below listed telephone number.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



Bradley D. Lytle  
Attorney of Record  
Registration No. 40,073

Customer Number  
**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 08/07)

Colin B. Harris  
Registration No. 58,969

---

<sup>7</sup> See Johnson, for example, at ¶ 50, lines 1-5.